

05-07-01

JC04 PCT/PTO 0 4 MAY 2001 PCT

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

Cinquin-1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

Filed herewith **09/831170**

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.

PCT/FR99/02733

INTERNATIONAL FILING DATE

8 November 1999

PRIORITY DATE CLAIMED

10 November 1998

TITLE OF INVENTION

Method and Device For Determining the Center of a Joint

APPLICANT(S) FOR DO/EO/US

CINQUIN, Philippe et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (**unexecuted**)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
Acknowledgment postcard

| | | |
|--|--|--|
| U.S. APPLICATION NO. (if known) 09/831110 Filed Here with 0 | INTERNATIONAL APPLICATION NO. PCT/FR99/02733 | ATTORNEY'S DOCKET NUMBER Cinquin-1 |
|--|--|--|

| 21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | CALCULATIONS PTO USE ONLY | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|----------------------------------|--------------|--------------|------------|----|--------------|-----------|--|-----------|---------|--------------------|---------|--|-----------|---------|---|--|--|------------|---------|--------------------------------------|--|--|--|------------|---------|--|
| | \$ 1000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;">\$</th> </tr> <tr> <td>Total claims</td> <td>12 - 20 =</td> <td></td> <td>x \$18.00</td> <td>\$ 0.00</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td></td> <td>x \$80.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$270.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 1000.00</td> </tr> </table> | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | Total claims | 12 - 20 = | | x \$18.00 | \$ 0.00 | Independent claims | 2 - 3 = | | x \$80.00 | \$ 0.00 | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$270.00 | \$ 0.00 | TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1000.00 | \$ 0.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 12 - 20 = | | x \$18.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims | 2 - 3 = | | x \$80.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$270.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1000.00 | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | \$ 500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | \$ 500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | \$ 500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | \$ 500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Amount to be refunded: | \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| | charged: | \$ | | | | | | | | | | | | | | | | | | | | | | | | | |

a. ☒ A check in the amount of \$ 500.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

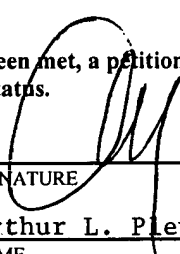
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 04-1679. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Arthur L. Plevy, Esq.
 Duane, Morris & Heckscher, LLP
 100 College Road West, Suite 100
 Princeton, New Jersey 08540


 SIGNATURE
 Arthur L. Plevy
 NAME
 24,277
 REGISTRATION NUMBER

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|------------------|
| Application Number | Her with |
| Filing Date | Herewith |
| First Named Inventor | Cinquin, Philipp |
| Examiner Name | TBA |
| Group Art Unit | TBA |
| Attorney Docket No. | Cinquin-1 |

TOTAL AMOUNT OF PAYMENT (\$355.00)

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 04-1679
Deposit Account Name: Duane, Morris & Heckscher, LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 710 | 201 355 | Utility filing fee | 500.00 |
| 106 320 | 206 160 | Design filing fee | |
| 107 490 | 207 245 | Plant filing fee | |
| 108 710 | 208 355 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 500.00

2. EXTRA CLAIM FEES

Total Claims: @ -20** = X =
Independent Claims: - 3** = X =
Multiple Dependent Claims: =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|---|----------|
| 103 18 | 203 9 | Claims in excess of 20 | |
| 102 80 | 202 40 | Independent claims in excess of 3 | |
| 104 270 | 204 135 | Multiple dependent claim, if not paid | |
| 109 80 | 209 40 | **Reissue independent claims over original patent | |
| 110 18 | 210 9 | **Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | @ |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 390 | 216 195 | Extension for reply within second month | |
| 117 890 | 217 445 | Extension for reply within third month | |
| 118 1,390 | 218 695 | Extension for reply within fourth month | |
| 128 1,890 | 228 945 | Extension for reply within fifth month | |
| 119 310 | 219 155 | Notice of Appeal | |
| 120 310 | 220 155 | Filing a brief in support of an appeal | |
| 121 270 | 221 135 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,240 | 241 620 | Petition to revive - unintentional | |
| 142 1,240 | 242 620 | Utility issue fee (or reissue) | |
| 143 440 | 243 220 | Design issue fee | |
| 144 600 | 244 300 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 710 | 246 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 710 | 249 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 710 | 279 355 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

| | | | | | |
|-------------------|-----------------------|-----------------------------------|-------------|-----------|----------------|
| Name (Print/Type) | Arthur L. Plevy, Esq. | Registration No. (Attorney/Agent) | 24,277 | Telephone | (609) 919-4402 |
| Signature | | Date | May 3, 2001 | | |

WARNING: Information on this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization in PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

09/831170

JC08 Rec'd PCT/PTO 04 MAY 2001
CINQUIN-1

"EXPRESS MAIL CERTIFICATE"

"Express Mail" mailing label number: EL857156965US

Date of Deposit: May 4, 2001

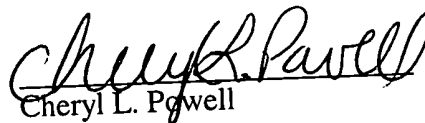
Title of Invention: METHOD AND DEVICE FOR DETERMINING THE CENTER
OF A JOINT

Inventor: CINQUIN, Philippe et al.

Type of Documents:

1. Application Transmittal;
2. Fee Transmittal;
3. Application consisting of 11 pages of specification, 3 pages of claims, and 1 page of drawings;
4. Declaration and Power of Attorney (unexecuted);
5. 1 International search report;
6. 1 Copy of the front page of the PCT application as published;
7. Information Disclosure Statement;
8. PTO 1449
9. Our check in the amount of \$500.00;
10. Acknowledgment Postcard; and,
11. "Express Mail" Certificate.

I hereby certify that this paper and fee are being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, "Box Application," Washington, D.C. 20231.


Cheryl L. Powell